

Remarks

Claims 1-6, 9-19, 21-25, 28-33, 36-50, and 53 are currently pending and claims 1, 12, 21, 29, 38, and 46 have been amended. Applicants assert that all claims are in condition for allowance as set forth more fully below.

Interview Summary

The undersigned participated in a telephone interview with the Examiner on November 17, 2004. During the interview, deficiencies in the Jones and MELBA references were discussed in relation to the present invention. Namely, it was discussed how the Examiner initially conceded that MELBA and Jones didn't teach the database including information relating to the internal personnel approving the resolution by the outside personnel but in a subsequent action decided that such subject matter was inherent to MELBA. It was further discussed that MELBA fails to inherently teach a database including such approval information as MELBA only discusses status in general and does not disclose a database including approval information by internal personnel for a resolution to the trouble ticket that has been attempted by outside personnel.

103 Rejections

Claims 1-6, 9, 11-13, 16-19, 21-25, 29-33, 36, 38, 39, and 42-50 stand rejected under 35 USC 103(a) as being unpatentable over Jones (US Pat 6,219,648) in view of Peregrine's MELBA. Claims 10, 14, 15, 28, 37, 40, 41, and 53 stand rejected under 35 USC 103(a) as being unpatentable over Jones in view of Peregrine's MELBA and further in view of Kidder (US Pat 6,445,774). Applicants respectfully traverse these rejections.

All pending claims now include recitations to attempted resolutions by outside personnel, information relating to whether there has been approval by internal personnel of the attempted resolution, and designating the trouble ticket as closed upon receiving the approval information. As a representative example, claim 1 recites wherein the database stores information relating to whether an attempted resolution of a trouble ticket by outsourced personnel who work for the organization has been approved by internal personnel for whom the outsourced personnel are working and wherein the trouble ticket

is designated as closed within the database upon the information relating to approval being provided by the internal personnel and indicating that the resolution is approved.

It has been conceded that Jones does not disclose outside personnel resolving trouble tickets and the database of trouble tickets including information relating to the approval of the attempted resolution by inside personnel. However, it has been asserted that such is inherent to MELBA. Specifically, the Office Actions states that the system is also updated as new information becomes available during work on open tickets and further states that “inherently the status update would relay and store information concerning whether resolution of a trouble ticket has been approved; if the contractors accept the open trouble ticket for resolution, the system will update the status until the incidents are resolved.” However, this assertion of inherency is based on unproven assumptions about the MELBA system.

The assertion of inherency in MELBA must assume 1) that MELBA requires that the inside personnel must approve the resolution by the outside personnel and 2) that the status tracking of MELBA includes such approval by inside personnel. These two assumptions are not proven because the system of MELBA would work as disclosed without any approval by the insider personnel being required and without any information regarding such approval being included as part of the status tracking. In other words, the status may simply be updates on the outside personnel completing the task, without any reference whatsoever to approval by inside personnel. To automatically assume that MELBA requires approval and that information relating to the approval is tracked as status information requires one to use impermissible hindsight based on a reading of the present application.

Furthermore, as recited in the claim 1, the trouble ticket is designated as closed upon the information relating to approval by inside personnel being received and indicating that the resolution is approved. As MELBA fails to disclose that there is approval information by inside personnel, MELBA also fails to disclose that the trouble ticket is designated as closed upon the information being provided by insider personnel indicating that the resolution by outside personnel is approved. It is just as likely that the status of MELBA reflects a closed trouble ticket simply by the outside personnel completing the work and entering the status themselves as completed.

Accordingly, these cited references fail to disclose, singly or in combination, the recitations of claim 1. The additional independent claims 12, 21, 29, 38, and 46 include similar recitations involving an attempted resolution and approval such that these additional independent claims are also allowable over the cited references. Furthermore, dependent claims 2-6, 9-11, 13-19, 22-25, 28, 30-33, 36-50 and 53 depend from allowable base claims and are also allowable for at least the same reasons.


Conclusion

Applicants assert that the application including claims 1-6, 9-19, 21-25, 28-33, 36-50, and 53 is now in condition for allowance. Applicants request reconsideration in view of the amendments and remarks above and further request that a Notice of Allowability be provided. Should the Examiner have any questions, please contact the undersigned.

No fees are believed due. However, please charge any additional fees or credit any overpayment to Deposit Account No. 50-3025.

Respectfully submitted,

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